

UNITED STATES DISTRICT COURT  
Northern District of California

CHAVEZ,

Plaintiff(s),

No. C 04-5407 JF

v.

**NOTICE RE: NONCOMPLIANCE  
WITH COURT ORDER**FOOT LOCKER, Inc., et al.,  
Defendant.

The parties have failed to file an ADR Certification and either a Stipulation Selecting an ADR Process or a Notice of Need for ADR Phone Conference as required by the Initial Case Management Scheduling Order. Counsel shall Meet and Confer forthwith in an attempt to agree on an ADR process for this matter. Thereafter, counsel promptly shall file either a **Stipulation Selecting ADR Process/ADR Certification**, along with a **Proposed Order for Referral to ADR Process**, or a **Notice of Need for ADR Phone Conference/ADR Certification** (Civil L.R. 16-8(b), ADR L. R. 3-5(b) Civil L.R. 16-8(c)), ADR L. R. 3-5(c)), (d)). (These forms are available at [www.adr.cand.uscourts.gov](http://www.adr.cand.uscourts.gov).)

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Further, in accordance with ADR L.R. 3-5(e) counsel shall concurrently provide a copy of all documents filed pursuant to this notice directly to the ADR Unit either by fax (415-522-4112), hand delivery (ADR Program, USDC, Northern District of California, 450 Golden Gate Avenue, 16<sup>th</sup> Floor, San Francisco, California), or by PDF attachment to an e-mail directed to [adr@cand.uscourts.gov](mailto:adr@cand.uscourts.gov).

It is the responsibility of counsel to schedule an ADR Phone Conference, if required, to occur before the Case Management Conference.

Dated: June 29, 2005

RICHARD W. WIEKING  
Clerk

by: Timothy Smagacz

\_\_\_\_\_/s/\_\_\_\_\_  
ADR Program Administrative Assistant

**PROOF OF SERVICE**

Case Name: Chavez v. Foot Locker, Inc., et al.

Case Number: C 04-5407 JF

I declare that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California. I am over the age of eighteen (18) years and not a party to the action. My business address is:

ADR Program  
United States District Court  
Northern District of California  
450 Golden Gate Avenue Floor 16  
San Francisco, CA 94102

On June 29, 2005, I served a true and correct copy of:

**Notice Re: Non-Compliance with Court Order**

  X  electronically, I caused said documents to be transmitted using ECF as specified by General

Order No. 45 to the following parties:

Robert David Baker

Annie Y.S. Chuang

Ingrid L. Peterson

1 \_\_\_\_\_ by Facsimile, I caused said documents to be transmitted to the following parties by fax  
2 machine:

3 \_\_\_\_\_ by U. S. Mail, I placed a true copy in a sealed envelope with postage fully prepaid in the  
4  
5 United States Post Office Mail Box in San Francisco, California, addressed as follows:  
6  
7  
8

9 I declare under penalty of perjury that the foregoing is true and correct and that this declaration was  
10 executed on June 29, 2005 in San Francisco, California.  
11  
12

13 RICHARD W. WIEKING

14 Clerk

15 by: Timothy Smagacz

16 \_\_\_\_\_ / s /

17 ADR Program Administrative Assistant

18 (415) 522-4205 tim\_smagacz@cand.uscourts.gov  
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REV 10/04